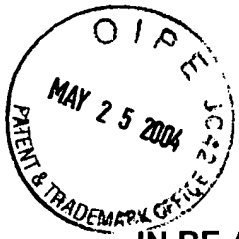


IFW DAE



IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Torsten Heinemann

CASE: 011218 Petition to Revive Under  
SER. NO.: 09/939,295 37 C.F.R. 1.181  
FILING DATE: August 24, 2001  
FOR: COVERING ARRANGEMENT  
FOR A BUILDING, AND  
COVERING PART FOR USE IN  
SUCH A COVERING  
ARRANGEMENT

COMMISSIONER  
FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION OF: A.U. 3635

EXAMINER: McDermott, K.

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

**PETITION TO REVIVE UNDER 37 C.F.R. 1.181**

This is in response to a telephone call received by the Applicant from the Examiner on May 20, 2004, informing Applicant that the above application had been abandoned for failure to prosecute. Please consider the following remarks in furtherance of reviving the present Application from abandonment, and passage of the Application to allowance.

**FACTOR & LAKE, LTD.**  
1327 W. Washington Blvd., Suite 5G/H  
Chicago, IL 60607  
(312) 226-1818 Telephone  
(312) 226-1919 Facsimile

**Jody L. Factor, Reg. No. 34157**  
**Micheal D. Lake, Reg. No. 33727**  
**Jacob D. Koering, Reg. No. 51890**

## **REMARKS**

Applicant received a telephone call from the Examiner on May 20, 2004, informing the Applicant that the above application had been abandoned for failure to prosecute. The Examiner stated that an Extension of Time had been received by the Office, but that no Communication had accompanied the Extension. Therefore, after the final date to respond had passed on April 2, 2004, the Examiner abandoned the application.

Applicant submits, however, that a response to the outstanding Office Action was indeed timely filed, and was received by the Office well prior to the abandonment date of April 2, 2004. In fact, Applicant filed a complete Response to Office Action on March 2, 2004, along with the above-referenced Extension of Time. In support thereof Applicant has attached as Exhibit A, a copy of the return postcard bearing the PTO mailroom date stamp, acknowledging the receipt of the Office Action Response and the Extension of Time on March 8, 2004. Applicant has also attached as Exhibit B a copy of the Response to Office Action which includes a Certificate of Mailing dated March 2, 2004. Therefore, Applicant submits that the Response was both mailed and received prior to the date of abandonment.

Applicant hereby authorizes withdrawal of any necessary petition fee from deposit account number 50-0545 if the Petitions Office deems such necessary in light of the facts.

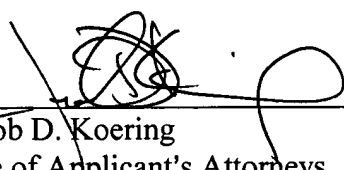
In light of the foregoing, Applicant respectfully requests the withdrawal of the holding of abandonment, subsequent revival of the present application, and then passage of same to allowance.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully requested.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: May 21, 2004


  
\_\_\_\_\_  
Jacob D. Koering  
One of Applicant's Attorneys

### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 21, 2004.

Jacob D. Koering

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
\_\_\_\_\_  
Signature

March 2, 2004

The United States Patents and Trademark Office mailroom stamp  
hereon acknowledges receipt of the following:

REQUEST FOR TWO-MONTH EXTENSION OF TIME;  
RESPONSE TO OFFICE ACTION; Check for extension fee in the  
amount of \$210.00; and Certificates of Mailing.

In re:

Applicant: Torsten Heinemann

Ser. No.: 09/939,295

Filed on: August 24, 2001

For: COVERING ARRANGEMENT FOR A BUILDING, AND  
COVERING PART FOR USE IN SUCH A COVERING  
ARRANGEMENT



011218-OST/JLF/1-04



**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Torsten Heinemann

**CASE:** 011218

**RESPONSE TO OFFICE  
ACTION**

**SER. NO.:** 09/939,295

**FILING DATE:** August 24, 2001

**FOR:** COVERING ARRANGEMENT  
FOR A BUILDING, AND  
COVERING PART FOR USE IN  
SUCH A COVERING  
ARRANGEMENT

COMMISSIONER  
FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION OF:** A.U. 3635

**EXAMINER:** McDermott, K.

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

This is in response to the Office Action mailed October 2, 2003. Please amend the application as indicated below, and please consider the remarks toward reconsideration and passage to allowance.

**FACTOR & LAKE, LTD.**  
1327 W. Washington Blvd., Suite 5G/H  
Chicago, IL 60607  
(312) 226-1818 Telephone  
(312) 226-1919 Facsimile

Jody L. Factor, Reg. No. 34157  
Micheal D. Lake, Reg. No. 33727  
Jacob D. Koering, Reg. No. 51890



## IN THE CLAIMS AMEND

1. (Currently Amended) A covering arrangement for a building, the arrangement having parallel elongate supports and, arranged on the supports, covering parts which

- a) comprise a core and, connected thereto, upper and lower planar covering elements in the manner of a sandwich,
- b) have an elongate, striplike form,
- c) in the installed ~~positing~~ position are arranged transversely to the supports and extend at least from one support to a neighboring support,

wherein

- d) a longitudinal border region (30) of a first covering part (16) has a first connecting device (68) and ~~the opposite~~ a longitudinal border region (34) of a neighbouring second covering part (16) has a second connecting device (70) complementary ~~thereto~~ to the first connecting device, by means of which the ~~two~~ first and second covering parts (16) are firmly connected to each other;
- e) the first connecting devices (68, ~~70~~) further comprising a plurality of adjacent connecting position recesses and the second connecting device (70) comprising at least one catch projection (78) and a catch recess (72, 74, 76) complementary thereto to each of the connecting position recesses, wherein the catch recess comprises a plurality of connecting positions; such that
- f) the relative position of the first covering part (16) with respect to ~~a neighbouring~~ the second covering part (16) can be varied.

2. (Original) A covering arrangement as claimed in claim 1, said arrangement being a roof (10) and said supports being rafters (14) of the roof (10).

3. (Currently Amended) A covering part for use in a covering arrangement as claimed in claim 1, which

a) comprises a core and, connected thereto, upper and lower planar covering elements in the manner of a sandwich, and

b) has an elongate, striplike form,

wherein

c) one longitudinal border region (30) has a connecting device (68) and the opposite longitudinal border region (34) has a connecting device (70) complementary thereto, such that the covering part (16) can be firmly connected to an identical covering part (16) at, in the installed position, mutually facing longitudinal border regions (30, 34).

4. (Deleted).

5. (Currently Amended) A covering part as claimed in claim 2, wherein the ~~two~~ first and second connecting devices (68, 70) in the installed position cooperate in the manner of a hinge having a pivot axis, the pivot axis running substantially parallel to the longitudinal axis of the covering part (16).

6. (Currently Amended) A covering part as claimed in claim 2, wherein at least one of the first and second connecting devices (68, 70) is integrated into a stiffening member (32, 36) arranged in a region of the corresponding longitudinal border region (30, 34) of said covering part.

7. (Currently Amended) A covering part as claimed in claim 2, wherein the covering part comprises a length and a width, and the first and second connecting devices (68, 70) each extend over the entirety of the width of the covering part.

8. (Currently Amended) A covering part as claimed in claim 2, wherein the first and second connecting devices (68, 70) are designed in such a way that, in the installed position, the mutually facing longitudinal border regions (30, 34) of ~~neighbouring~~ the first and second covering parts (16) at least regionally overlap.

9. (Previously Amended) A covering part as claimed in claim 8, the covering part comprising at least two longitudinal borders, wherein at least one of the longitudinal borders (34) is drawn down.

10. (Previously Amended) A covering part as claimed in claim 2, the covering part comprising at least two longitudinal borders, wherein at least one of the longitudinal borders (30) is drawn up.

11. (Deleted)



12. (Deleted)

### **REMARKS**

Initially, the Applicant would like to take the time to thank the Examiner for the time taken and courtesies extended in the telephonic interview of January 5, 2004. The Examiner's comments on the format of the claim language were extremely helpful, and have been utilized to format the claims as incorporated herein.

The Examiner has rejected Claims 1-3 and 5-10 under 35 U.S.C. §112, based on the contention that they are claim 1 is indefinite as written. The Examiner has noted, however, that the claims as written appear to be drawn to allowable subject matter. Applicant has amended the claims as above to clarify the language of the invention, as suggested by the Examiner. Therefore, Applicant submits that the current claims as amended should now be in condition for allowance.

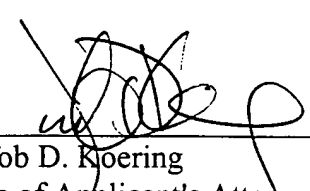
Based on the above, reconsideration and passage to allowance of Claims 1-3 and 5-10 is respectfully requested.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully requested.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: March 2, 2004

  
\_\_\_\_\_  
Jacob D. Koering  
One of Applicant's Attorneys

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 2, 2004.

Jacob D. Koering

Name of Applicant, assignee, applicant's attorney or Registered Representative

  
\_\_\_\_\_  
Signature